HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:11744 OF 2007

Dated: 08.06.2007

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Between:

1. T. Seshagiri and others.

..Petitioners

And

1. The Principal Secretary to Government, Revenue Department, Secretariat, Hyderabad and others.

..Respondents.

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HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:11744 OF 2007

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed seeking to declare the action of the respondents in not formulating the scheme to absorb the petitioners into the newly created posts of Village Revenue Officers within the stipulated period of six weeks as was admitted in O.A.No.764 of 2007 on par with other similarly situated persons, as illegal and arbitrary and consequently to declare that the petitioners are entitled to be treated as Village Revenue Officers.

It is the case of the petitioners that consequent to the creation of Revenue functionary in village level viz., Panchayat Secretaries, they were absorbed into the cadre of Panchayat Secretaries way back in 2002. All the Panchayat Secretaries were brought under the control of the Mandal Revenue Officers concerned. A separate set of rules were framed for the post of Panchayat Secretary insofar as the qualifications and eligibility criteria are concerned. The petitioners are also equally qualified to hold the post of Panchayat Secretaries. While so, the Government issued G.O.Ms.No.105 designating the revenue functionary in the village level as Village Revenue Officer for the purpose of effective administration at village level. According to the said G.O., the persons, who worked as VAOs, were sought to be absorbed into the newly created post of Village Revenue Officer while setting apart the other panchayat secretaries brought from other departments. Having aggrieved by the same, the petitioners approached the Tribunal by filing O.A. An interim direction was given to maintain status quo in a batch of O.As filed by the Panchayat Secretaries. Pending the O.As., the 1st respondent issued a memo stating that the cases of the Panchayat Secretaries, who were brought from other than revenue department, will be considered for absorption as Village Revenue Officers within a period of six weeks. Recording

the policy decision taken up by the 1st respondent, the Tribunal disposed of the O.As.

Heard the learned counsel and the learned Government Pleader for services.

Before going into the merits of the case, it is relevant to note the contents of the memo filed before the tribunal. They read thus:

> "On the interim orders of the tribunal dated 7.2.2007 in the batch O.As., Government is seriously considering the request of the village officers who had worked in the revenue department prior to the appointment as panchayat secretaries and also the cases of those who had joined as panchayat secretaries from various departments. A policy decision will have to be taken in this regard based on the experience expertise, qualifications and the suitability of such candidates for the newly created job of Village Revenue Officers. Data of such existing employees is being now gathered to arrive at the exact numbers. This exercise is likely to take about 4 to 6 weeks. Since this is new administrative system being put in place, it may kindly be appreciated that these issues that emanate in the initial stages will take a little time to resolve. The Government wishes to expedite decisions but given the administrative processes about four Weeks time may be required."

Basing on the said memo, the tribunal has disposed of the present O.A. along with the batch. Now, on the ground that the said memo has not been complied with by considering the case of the applicants for the relief in question, they have approached this Court directly instead of choosing their recourse before the tribunal, which has disposed of the O.A.

Therefore, for non compliance of the memo in question as well as the order of the tribunal, the approach of the applicants before this Court at this stage of this proceedings, is nothing but an abuse of process of the Courts.

Hence, We have no hesitation to hold that the present writ

petition is devoid of merits and the same is consequently liable to be dismissed.

Accordingly, this W.P. is dismissed. No order as to costs.

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Justice T. Meena Kumari

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Justice G. Chandraiah

Date: 8th June, 2007
Nn/Gurc.

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:11744 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

08/06/2007

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CIVIL REVISION PETITION No:744 OF 2005

28.1.2006